

E. Patrick Ellisen, CA Bar No. 142033
ellisep@gtlaw.com
 Daniel T. McCloskey, CA Bar No. 191944
mccloskeyd@gtlaw.com
 Jong P. Hong, CA Bar No. 225785 rr see try it with the touch up tool
hongj@gtlaw.com
GREENBERG TRAURIG LLP
 1900 University Avenue 5th Floor
 East Palo Alto, CA 94303
 Telephone: (650) 328-8500
 Facsimile: (650) 328-8508

Brian A. Carpenter, *pro hac vice*
carpenterb@gtlaw.com
GREENBERG TRAURIG LLP
 1200 17th Street, Suite 2400
 Denver, CO 80202
 Telephone: (303) 572-6500
 Facsimile: (303) 572-6540

Attorneys for Plaintiff and Cross-Defendant,
PROTECTIVE OPTICS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PROTECTIVE OPTICS, INC.,
 a California corporation

Plaintiff, see I fixed it

v.

PANOPTX INC.,
 a California corporation

Defendant.

Case No. C05-02732 CRB

STIPULATION AND ~~PROPOSED~~ ORDER
GRANTING LEAVE FOR PROTECTIVE
OPTICS, INC. TO SERVE ITS AMENDED
FINAL INFRINGEMENT CONTENTIONS

Judge: Hon. Charles R. Breyer
 [No Trial Date Set]

AND RELATED CROSS-ACTION

In connection with and in support of the Miscellaneous Administrative Request For Leave To
 Amend Its Final Infringement Contentions which is filed concurrently herewith and pursuant to
 Patent L.R. 3-7, and Civil L.R. 7-11 and 7-12, Plaintiff and Cross-Defendant Protective Optics, Inc.

1 and Defendant and Cross-Complainant Panoptx, Inc. (collectively, the “Parties”), by and through
2 their undersigned attorneys, state and agree as follows:

3 Whereas, on November 17, 2006, the Court entered an Order extending the deadline for
4 Protective Optics’ final infringement contentions until January 8, 2007;

5 Whereas, Protective Optics served its final infringement contentions on January 8, 2007;

6 Whereas, the identification of certain Protective Optics products that practice the claimed
7 invention under Patent Local Rule 3-1(f) was inadvertently not included in its Final Infringement
8 Contentions;

9 Whereas, Protective Optics requests that the Court, for good cause, enter an order permitting
10 Protective Optics to serve its amended final infringement contentions by January 19, 2007;

11 Whereas, Protective Optics’ Amended Final Infringement Contentions will not unduly burden
12 any party nor cause a delay in the trial of this case;

13 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, subject to
14 Court approval, as follows:

15 1. Protective Optics shall serve its amended final infringement contentions not later
16 than January 19, 2007.

17 DATED: January 17, 2007. GREENBERG TRAURIG, LLP

18
19 By /s/ E. Patrick Ellisen

20 E. Patrick Ellisen
21 Dan McCloskey
22 Jong P. Hong

23 Attorneys for Plaintiff and Cross-Defendant,
24 **PROTECTIVE OPTICS, INC.**
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28

1 DATED: January 17, 2007

KRIEG, KELLER, SLOAN, REILLEY &
ROMAN, LLP

4 By: /s/ Michael Lisi
Michael Lisi

6 Attorneys for Defendant and Cross-Complainant,
PANOPTX, INC.

8 I, E. Patrick Ellisen, am the ECF User whose ID and password are being used to file this
9 Stipulation and [Proposed] Order Granting Leave for Protective Optics, Inc. to Serve Its Amended
10 Final Infringement Contentions. In compliance with General Order 45, X.B., I hereby attest that
11 Michael Lisi has concurred in this filing.

12
13 Dated: January 17, 2007

By: /s/ E. Patrick Ellisen
E. Patrick Ellisen

15
16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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18
19 Date: January 19, 2007

